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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/827,510 | 04/19/2004 | Paul Bale | 03936- P0006A | 3460 |
| 24126 | 7590 | 12/22/2005 | EXAMINER | |
| ST. ONGE STEWARD JOHNSTON & REENS, LLC | | | ARTHUR JEANGLAUDE, GERTRUDE | |
| 986 BEDFORD STREET | | | ART UNIT | |
| STAMFORD, CT 06905-5619 | | | PAPER NUMBER | |

3661

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/827,510

Applicant(s)

BALE ET AL.

Examiner

Gertrude Arthur-Jeanglaude

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>9/3/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Pillar (U.S. Patent No. 6,553,290).

As to claim 14, Pillar 290' discloses a control system for a vehicle comprising a main control unit (15) having a memory (See col. 4, lines 31-54); at least one auxiliary control unit (33) in communication with the main control unit via a communication link (36) wherein the main control unit controls operation of the at least one auxiliary control unit, control of the at least one auxiliary control unit being based at least in part upon parameters indicative of a configuration of the at least one auxiliary control unit stored in the memory of the control unit; and further comprising a programming unit connectable to the main control unit, the programming unit operable by a user to modify the parameters stored in the memory of the main control unit (See col. 4, lines 31-54; col. 5, lines 57-67-col. 6, lines 1-30).

As to claim 15, Pillar 290' discloses the parameters stored in the memory of the main control unit are indicative of vehicle system components which are connected to the at least one auxiliary component (See col. 4, lines 31-54; col. 5, lines 45-67).

As to claim 16, Pillar discloses at least one auxiliary control unit (33) detects components which are connected to the at least one auxiliary component and displays information to the user via the programming unit indicative of the detected components (See col. 4, lines 36-54; col. 5, lines 64-67-col. 6, lines 1-10).

As to claim 17, Pillar discloses the configuration of the at least one auxiliary control unit of which the parameters are indicative are specified by the user (operator) (See col. 4, lines 36-54; col. 5, lines 64-67-col. 6, lines 1-10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13, 18-30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Pillar (U.S. Patent No. 6,553,290) in view of Pillar et al. (U.S. 20040002794).

As to claims 1, 7, 19, 20, 21, 25, Pillar 290' discloses a control system for a vehicle comprising a first electronically controlled vehicle system (26) as shown in Fig.2; a second electronically controlled vehicle system (28; Fig.2); and a control unit (15) (See col. 4, lines 31-54) which controls operation of at least one component of the first

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electronically controlled vehicle system and the second electronically controlled vehicle system but fails to specifically disclose the vehicle is moving or the vehicle is stationary. In an analogous art, Pillar et al. disclose an electronic control system for a vehicle wherein it discloses control operation of the vehicle while the vehicle is moving and also while the vehicle is stationary (See paragraphs 0015, 0191: vehicle is stationary, 0251: vehicle 380 moving). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Pillar with that of Pillar et al. by having a control unit that controls the operation of the component of the vehicle while the vehicle is moving and while the vehicle is stationary in order to control the position of the vehicle.

As to claims 2, 8, 9, 26, 27, Pillar 290' discloses all but fails to specifically disclose the control unit controls operation of the at least one component of the first electronically controlled vehicle system both while the vehicle is moving and while the vehicle is stationary. In an analogous art, Pillar et al. disclose a diagnostic system that has a control unit 212 for controlling operation of the at least one component of the first electronically controlled vehicle system both while the vehicle is moving and while the vehicle is stationary (See paragraphs 0191, 0212, 0251). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Pillar with that of Pillar et al. by having a control unit that controls the operation of the component of the vehicle while the vehicle is moving and while the vehicle is stationary in order to control the position of the vehicle.

As to claims 3, 10, 22, 28, Pillar 290' discloses as shown in Fig. 2 an electronic brake system (26).

As to claims 4, 11, 23, 29, Pillar 290' discloses the control unit controls operation of the at least one component of the first electrically controlled vehicle system and of the at least one component of the second electronically controlled vehicle system in response to sensor input (see sensors 22 as shown in Fig. 5).

As to claims 5, 12, 24, 30, Pillar 290' discloses the control unit controls operation of the at least one component of the first electrically controlled vehicle system and of the at least one component of the second electronically controlled vehicle system in response to input of a vehicle operator (See Fig.2 # 18).

As to claims 6, 13, Pillar 290' discloses the control unit comprises a main control unit (15) (See col. 4, lines 31-54; having a memory line 50); further comprising at least one auxiliary control unit (33) in communication with the main control unit via a communication link (36) wherein the main control unit controls operation of the at least one auxiliary control unit, control of the at least one auxiliary control unit being based at least in part upon parameters indicative of a configuration of the at least one auxiliary control unit stored in the memory of the control unit; and further comprising a programming unit connectable to the main control unit, the programming unit operable by a user to modify the parameters stored in the memory of the main control unit (See col. 5, lines 57-67-col. 6, lines 1-30).

As to claim 18, Pillar discloses the at least one auxiliary control unit but fails to specifically disclose that it comprises a plurality of auxiliary control units. However, it

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would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Pillar with a plurality of auxiliary control unit in order to provide operation information about the vehicle.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ

GAJ

December 14, 2005

Gertrude A. Jeanglaude
GERTRUDE A. JEANGLAUDE
PRIMARY EXAMINER